

### THE NAVAJO NATION

### RUSSELL BEGAYE PRESIDENT JONATHAN NEZ VICE PRESIDENT

### Navajo Nation Environmental Protection Agency -Air Quality Control/Operating Permit Program

**Detailed Information** 

Permitting Authority: Navajo Nation Environmental Protection Agency

County: Navajo State: Arizona AFS Plant ID: 04-017-N0613

Facility: El Paso Natural Gas Company, LLC – Dilkon Compressor Station

**Document Type: STATEMENT OF BASIS** 

Part 71 Federal Operating Permit Statement of Basis

El Paso Natural Gas Company, LLC (EPNG)
Dilkon Compressor Station
Permit No. NN OP 18-004

### 1. Facility Information

### a. Permittee

El Paso Natural Gas Company (EPNG), LLC 2 North Nevada Avenue Colorado Springs, Colorado 80903

### b. Facility Location

E ½ of Section 17 and W ½ of Section 16, Township 23-N, Range 19-E 1.25 miles North of Dilkon, Arizona

### c. Contact Information

Facility Contact: Richard Duarte, Engineer – Air Compliance

Phone: (505) 831-7763

Responsible Official: Kenneth W. Grubb, VP

Phone: (713) 369-8763

Alternate Responsible Official: Philip L. Baca, Division Director

Phone: (520) 663-4224

### d. Description of Operations, Products:

The facility is a natural gas compressor station which performs gas inlet separation and natural gas compression and transmission.

### e. <u>Permitting and/or Construction History</u>

This facility was initially constructed in 1964 and consisted of a single gas turbine (Unit A-01). In 1991, EPA issued PSD permit AZP 90-3 to EPNG for the installation of one GE Frame 3 regenerative cycle turbine (Unit B-01) and one reciprocating combustion engine for auxiliary power generation (Unit AUX A-01). USEPA modified the PSD permit on May 16, 2000 to remove Special Conditions IX.E.3.e.2 and IX.F.2, amend Special Condition IX.F.1, and remove language from Special Condition IX.D.

### f. Permitted Emission Units and Control Equipment

Table 1 lists the permitted emission-generating units and activities at the facility.

Commenced Associated Unit Maximum **Unit Description** Construction/ Control ID Capacity **Installation Date Equipment** 179.8 Natural gas-fired turbine, A-01 MMBtu/hr N/A January 1964 GE Frame 5 13,166 hp Natural gas-fired turbine, 93.6 Dry Low-NOx GE Frame 3 equipped with B-01 MMBtu/hr **April** 1992 Combustor NOx, CO, and O2 CEMS 11,020 hp Natural gas-fired engine for 5.6 AUX emergency power MMBtu/hr **April** 1992 N/A A-01 generation Caterpillar 3512 742 hp

Table 1. List of Emission Units

### g. <u>Insignificant Activities</u>

This facility also emits pollutants at insignificant levels, as described in 40 CFR § 71.5(c)(11)(ii), as follows:

- i. Fugitive VOC emissions from connections, flanges, open-ended lines, valves, and other components.
- ii. Emissions released during the use of the emergency shutdown system and pressure relief valves.
- iii. Emissions released during blowdown activities (during startup and shutdown).

<sup>\*</sup>Horsepower capacities are based on site elevation at 60°F for turbine units A-01 and B-01. Higher hp may be achieved at lower temperatures

- iv. Fire pump and air compressor engine emissions
- v. Emissions released from any emission unit, operation, or activity that handles or stores a VOC or HAP organic liquid with a vapor pressure less than 1.5 psia.
- vi. List of storage tanks present at the source:

Tank No.	Date Installed	Capacity (gal)	Liquid Stored
T-01	unknown	8820	Turbine oil
T-02	unknown	1000	Used oil
T-03 1991		1500	Ambitrol
T-04	unknown	1000	Used oil

### h. <u>Emission Calculations</u>

See Appendix A of this document for detailed calculations.

### i. Potential to Emit

Potential to emit (PTE) means the maximum capacity of any stationary source to emit any CAA-regulated air pollutant under the source's physical and operational design. See 40 C.F.R. § 52.21(b)(4). Any physical or operational limitation on the maximum capacity of EPNG Dilkon to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of fuel combusted, stored, or processed, must be treated as part of its design if the limitation is enforceable by US EPA. PTE is meant to be a worst-case emissions calculation and is used in many cases, though not all, to determine the applicability of federal requirements. Actual emissions may be much lower than PTE. The potentials to emit are presented in Tables 2 and 3 below.

Table 2. Potential to Emit of Criteria Air Pollutants

Emission	Regulated Air Pollutants in tons per year (tpy)						
Unit ID	$PM_{10}$	$SO_2$	NOx	VOC	СО	Total HAPs	
A-01	5.2	50	252	1.65	65	4.57	
B-01	2.7	26	65	0.86	53	3.75	
AUX A-01	0.03	0.0008	4	0.04	5	0.06	
Insignificant Activities*	less than 5.00	-	-	less than 5.00	-	negligible	
PTE of the Entire Source	12.9	76.5	321.7	7.56	123	8.38	
Title V Major Source Thresholds	100	100	100	100	100	10 for a single HAP and 25 for total HAPs	

<sup>\*</sup>This is an estimate of emissions from blowdown activities and fugitive VOC from equipment leaks.

Table 3. Facility-Wide Greenhouse Gas Emissions Potential to Emit

Emission Unit	Greenhouse Gas Emissions (CO <sub>2</sub> equivalent metric tons)		
A-01	92,143		
B-01	47,968		
AUX A-01	164		
Total	140,275		

### 2. Tribe Information

### a. General

The Navajo Nation has the largest land base of any tribe in the United States, covering 27,425 square miles in three states: Arizona, Utah, and New Mexico. The Navajo Nation is currently home to more than 300,000 people. Industries on the reservation include oil and natural gas processing, coal mining, and tourism.

### b. Local Air Quality and Attainment Status

All areas of the Navajo Nation are currently designated as attainment or unclassifiable for all pollutants for which a National Ambient Air Quality Standard (NAAQS) has been established.

### 3. Inapplicable Requirements

a. New Source Performance Standards (NSPS) for Stationary Combustion Turbines (40 CFR §§ 60.4300 – 60.4420; 40 CFR Part 60, Subpart KKKK)

On July 6, 2006, standards of performance for stationary combustion turbines (40 CFR §§ 60.4300-60.4420) were promulgated. This subpart applies to stationary combustion turbines that commence construction, modification, or reconstruction after February 18, 2005. This subpart does not apply to turbines A-01 and B-01 located at EPNG Dilkon because they were both installed prior to February 18, 2005 and have not been modified or reconstructed.

b. NSPS for SO<sub>2</sub> Emissions from Onshore Natural Gas Processing for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011(40 CFR §§ 60.640 – 60.648; 40 CFR Part 60, Subpart LLL)

These regulations apply to sweetening units and sulfur recovery units at onshore natural gas processing facilities. As defined in this subpart, sweetening units are process devices that separate hydrogen sulfide (H<sub>2</sub>S) and carbon dioxide (CO<sub>2</sub>) from a sour natural gas stream. Sulfur recovery units are defined as process devices that recover sulfur from the acid gas (consisting of H<sub>2</sub>S and CO<sub>2</sub>) removed from sour natural gas by a sweetening unit. There are no sweetening units or sulfur recovery units located at EPNG Dilkon; therefore, this subpart does not apply.

c. NSPS for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011 (40 CFR §§ 60.630 – 60.636; 40 CFR Part 60, Subpart KKK)

These regulations apply to compressors and other equipment at onshore natural gas processing facilities. As defined in this subpart, a natural gas processing plant is any processing site engaged in the extraction of natural gas liquids (NGLs) from field gas, fractionation of mixed NGLs to natural gas products, or both. NGLs are defined as the hydrocarbons, such as ethane, propane, butane, and pentane that are extracted from field gas. EPNG Dilkon neither extracts natural gas liquids from field gas nor fractionates mixed NGLs to natural gas products and thus does not meet the definition of a natural gas processing plant under this subpart. Therefore, subpart KKK does not apply.

d. NSPS for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978 (40 CFR §§ 60.110 - 60.113; 40 CFR Part 60, Subpart K)

These regulations apply to storage vessels for petroleum liquids with storage capacities greater than 40,000 gallons and do not apply to storage vessels for

petroleum or condensate stored, processed, and/or treated at a drilling and production facility prior to custody transfer. There is no storage tank with a capacity greater than 40,000 gallons located on-site at EPNG Dilkon; therefore, this subpart does not apply.

## e. NSPS for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984 (40 CFR §§ 60.110a - 60.115a; 40 CFR Part 60, Subpart Ka)

These regulations apply to storage vessels for petroleum liquids with storage capacities greater than 40,000 gallons and do not apply to petroleum storage vessels with capacities of less than 420,000 gallons used for petroleum or condensate stored, processed, or treated prior to custody transfer. There is no storage tank with a capacity greater than 40,000 gallons located on-site at EPNG Dilkon; therefore, this subpart does not apply.

# f. NSPS for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (40 CFR §§ 60.110b – 60.117b; 40 CFR Part 60, Subpart Kb)

These regulations apply to storage vessels with capacities greater than or equal to 75 cubic meters (471 bbl). There is no storage tank with a capacity greater than 75 cubic meters located on-site at EPNG Dilkon. The largest tank at the source, T-01, has a storage capacity of 33.4 cubic meters. Therefore, Subpart Kb does not apply.

## g. NSPS for Stationary Compression Ignition Internal Combustion Engines (40 CFR §§ 60.4200 – 60.4219; 40 CFR Part 60, Subpart IIII)

These regulations establish emission standards and compliance requirements to control emissions from compression ignition (CI) internal combustion engines (ICE) that commence construction, modification or reconstruction after July 11, 2005, where the CI ICE have been manufactured after specified dates. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator. The only engine located at EPNG Dilkon, AUX A-01, is a spark ignition ICE that was constructed prior to July 11, 2005 and has not been modified or reconstructed after July 11, 2005; therefore, subpart IIII does not apply.

## h. NSPS for Stationary Spark Ignition Internal Combustion Engines (40 CFR §§ 60.4230 – 60.4248; 40 CFR Part 60, Subpart JJJJ)

These regulations establish emission standards and compliance requirements to control emissions from spark ignition (SI) internal combustion engines (ICE) that commence construction, modification or reconstruction after June 12, 2006, where the SI ICE are manufactured on or after specified dates. For the purposes of this

subpart, the date that construction commences is the date the engine is ordered by the owner or operator. AUX A-01 located at EPNG Dilkon was constructed before June 12, 2006 and has not been modified or reconstructed after June 12, 2006; therefore, subpart JJJJ does not apply.

## i. NSPS for Crude Oil and Natural Gas Production, Transmission and Distribution (40 CFR §§ 60.5360 – 60.5430; 40 CFR Part 60, Subpart OOOO)

These regulations establish emission standards and compliance schedules to control volatile organic compounds (VOC) and sulfur dioxide (SO<sub>2</sub>) emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. No equipment at the EPNG Dilkon was constructed, modified or reconstructed after August 23, 2011; therefore, subpart OOOO does not apply.

## j. NSPS for Crude Oil and Natural Gas Facilities (40 CFR §§ 60.5360a – 60.5499a; 40 CFR Part 60, Subpart OOOOa)

These regulations establish emission standards and compliance schedules for the control of the pollutant greenhouse gases (GHG) from affected facilities that commence construction, modification or reconstruction after September 18, 2015. No equipment at the EPNG Dilkon was constructed, modified or reconstructed after September 18, 2015; therefore, subpart OOOOa does not apply.

## k. National Emission Standards for Hazardous Air Pollutants (NESHAP) from Oil and Natural Gas Production Facilities (40 CFR §§ 63.760 – 63.779; 40 CFR Part 63, Subpart HH)

These regulations apply to affected units located at oil and natural gas production facilities that are major sources or area sources of hazardous air pollutants (HAPs), as defined in 40 CFR § 63.761, and that process, upgrade, or store hydrocarbon liquids prior to the point of custody transfer, or that process, upgrade, or store natural gas prior to the point at which natural gas enters the natural gas transmission and storage source category or is delivered to a final end user. Affected units for major sources are glycol dehydration units, storage vessels with the potential for flash emissions, groups of ancillary equipment (except compressors) located at natural gas processing plants that are intended to operate in volatile HAP service, and compressors located at natural gas processing plants that are intended to operate in volatile HAP service. Affected units for area sources consist of triethylene glycol (TEG) dehydration units. EPNG Dilkon is not an oil or natural gas production facility; therefore, subpart HH does not apply.

## 1. NESHAP from Natural Gas Transmission and Storage Facilities (40 CFR §§ 63.1270 – 63.1289; 40 CFR Part 63, Subpart HHH)

These regulations apply to natural gas transmission and storage facilities that transport or store natural gas prior its entrance into a pipeline to a local distribution

company or to a final end user and that are major sources of hazardous air pollutants (HAP), as defined in 40 CFR § 63.1271. The facilities covered by this source category include underground natural gas storage operations and natural gas compressor stations that receive natural gas via pipeline, from underground natural gas storage operations, or from natural gas processing plants. This subpart only applies to facilities that contain affected units, which consist of glycol dehydration units under 40 CFR § 63.1270(b). The EPNG Dilkon compressor station does not have any glycol dehydration units and is an area source of HAPs. Therefore, subpart HHH does not apply.

## m. NESHAP for Stationary Combustion Turbines (40 CFR §§ 63.6080 – 63.6175; 40 CFR Part 63, Subpart YYYY)

These regulations establish emission and operating limitations for hazardous air pollutant (HAP) emissions from existing, new, or reconstructed stationary combustion turbines located at major sources of HAP emissions as well as compliance requirements related to such limitations. A major source of HAP emissions is a source that emits or has the potential to emit 10 tpy of a single HAP or 25 tpy of a combination of HAPs. Under 40 CFR § 63.6090(b)(4), existing stationary combustion turbines that commenced construction or reconstruction on or before January 14, 2003 do not have to meet the requirements of this subpart. EPNG Dilkon is an area source of HAP emissions and turbines A-01 and B-01 at the facility were constructed before January 14, 2003. Therefore, the turbines A-01 and B-01 located at the facility are not subject to subpart YYYY.

### n. Acid Rain Program (40 CFR §§ 72 - 78)

These regulations establish general provisions and operating permit program requirements for affected sources containing affected units. EPNG Dilkon does not contain any affected units, as specified in 40 CFR § 72.6(a). Therefore, the emission units at EPNG Dilkon are not subject to requirements of the Acid Rain Program.

### o. Compliance Assurance Monitoring (CAM) Program (40 CFR § 64)

These regulations apply to pollutant-specific emission units at major sources that are required to obtain 40 CFR part 70 or 71 permits where a unit is subject to an emission limitation or standard for the applicable regulated air pollutant, uses a control device to achieve compliance with such limitation or standard, and has potential pre-control device emissions of the applicable regulated air pollutant that equal or exceed the amount required for the source to be classified as a major source. Pursuant to the PSD Permit AZP 90-3 Condition IX.B, emission unit B-01 operates a Dry Low-NOx Combustor for control of NOx emissions. A Dry Low-NOx Combustor is not considered a control device as defined in 40 CFR § 64.1 because it acts as a passive control measure to prevent pollutants from forming. The emission units A-01 and AUX A-01 do not operate a control device (as the term is defined in 40 CFR § 64.1), thus CAM does not apply to any emission units at EPNG

Dilkon. Therefore, pursuant to 40 CFR § 64.2, the requirements of 40 CFR Part 64 are not applicable.

### 4. Applicable Requirements

The following requirements apply to the Dilkon compressor station.

Table 4. Summary of Applicable Federal Requirements.

Applicable Requirement	Emission Point/Unit
Federal Air Quality Requirement	A-01, B-01, AUX A-01
PSD permit No. AZP 90-3	B-01, AUX A-01
NSPS Subpart A (General Provisions)	A-01, B-01
NSPS Subpart GG (Gas Turbines)	A-01, B-01
NESHAP Subpart A (General Provisions)	AUX A-01
NESHAP Subpart ZZZZ ( RICE)	AUX A-01
Asbestos NESHAP (40 CFR 61, Subpart M)	Facility Wide
Protection of Stratospheric Ozone (40 CFR Part 82)	Facility Wide

### a. <u>Prevention of Significant Deterioration (PSD)</u>

The EPNG Dilkon compressor station is not one of the 28 source categories defined in 40 CFR § 52.21(b)(1)(i)(a) but has the potential to emit more than 250 tons per year of NOx under 40 CFR § 52.21(b)(1)(i)(b). Therefore, this source is an existing major stationary source and is subject to PSD requirements for any major modification that will result in a significant emission increase pursuant to 40 CFR 52.21(a)(2).

EPNG Dilkon was constructed in 1964 and modified in 1992. The initial construction of this source in 1964 predated the PSD applicability date and was not subject to the PSD program. See 40 CFR 52.21(i)(1)(i). In 1992, El Paso Natural Gas installed one (1) GE Frame 3 gas turbine (unit B-01) and one (1) reciprocating combustion engine for auxiliary power (units AUX A-01). The modifications that occurred in 1992 were subject to Prevention of Significant Deterioration (PSD), and were permitted in PSD Permit AZP 90-3, issued by US EPA on October 18, 1991. This PSD permit included federally enforceable emission limitations for NOx and CO.

On May 16, 2000, US EPA issued a modification to the original PSD permit (AZP 90-3) to amend Special Condition IX.F.1, remove Special Conditions IX.E.3.e.2 and IX.F.2, and remove language from Special Condition IX.D. Based on the amendment, the limitation on the emergency generator (AUX A-01) not to operate more than 100 hours in any twelve-month period was removed.

The following conditions are included from the PSD permit:

- i. The permittee shall install, and continuously operate for control of NOx emissions, a Dry Low-NOx Combustor. [PSD Permit AZP 90-3 Condition IX.B]
- ii. The permittee shall conduct performance tests for NOx and CO on an annual basis and at the maximum operating capacity of the facility being tested. [PSD Permit AZP 90-3 Condition IX.C.1.a]
- iii. The permittee shall not discharge or cause the discharge into the atmosphere NOx (as NO<sub>2</sub>) in excess of the more stringent of 14.90 lb/hr or 42 ppmvd of NOx at 15% O<sub>2</sub> (3-hour rolling average, at ISO conditions) from the stack venting the combustion unit B-01. [PSD Permit AZP 90-3 Condition IX.D]
- iv. The emergency generator AUX A-01 shall not discharge or cause the discharge into the atmosphere NOx (as NO<sub>2</sub>) in excess of 17.71 lb/hr during any period of operation. [PSD Permit AZP 90-3 Condition IX.D]
- v. The permittee shall not discharge or cause the discharge into the atmosphere CO in excess of the more stringent of 12.2 lb/hr or 60 ppmvd of CO at 15% O<sub>2</sub> (3-hour rolling average, at ISO conditions) from the stack venting the combustion unit B-01. [PSD Permit AZP 90-3 Condition IX.D]
- vi. The permittee shall install, maintain, and operate continuous monitoring systems to measure stack gas NOx, CO, and O<sub>2</sub> in the stack venting the combustion unit B-01. [PSD Permit AZP 90-3 Condition IX.E.1.a]
- vii. EPNG shall install a metering device to measure and record the amount of natural gas consumed by the emergency generator. [PSD Permit AZP 90-3 Condition IX.F.1]

## b. New Source Performance Standard (NSPS) for Stationary Gas Turbines (40 CFR §§ 60.330-60.335; 40 CFR Part 60, Subpart GG)

These regulations apply to stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired that were constructed or modified after October 3, 1977. There are two natural gas-fired turbines, A-01and B-01, at EPNG Dilkon.

### i. Streamlining NOx Emission Limits

The gas turbine B-01 at the facility is subject to 40 CFR § 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. Turbine B-01 is a regenerative cycle turbine with a maximum heat input of 93.6 MMBtu/hr. The NOx limit required by Subpart GG for a turbine with a heat input at

peak load greater than 100 million Btu/hr does not apply to turbine B-01 pursuant to 40 CFR § 60.332(1).

Both the PSD permit and the NSPS General Provisions require that an additional source test be conducted within 60 days after achieving the maximum production rate of the affected emission units, but no later than 180 days after the initial startup of the equipment. The NSPS does not require any on-going performance testing for NOx. The PSD permit requires the facility to maintain and operate a CEMS, and to conduct an annual performance test for NOx. Thus, the monitoring associated with the streamlined emission limit is more stringent than the monitoring required by the subsumed NSPS emission limit, and will be retained in the Title V permit.

- ii. The original build date of emission unit A-01 is 1964 and thus pre-dates the October 3, 1977 effective date of the NSPS for the turbines. Also, these units are exempt from the NOx emission limitation in accordance with 40 CFR § 60.332(e), because they were manufactured prior to October 3, 1982.
- iii. Turbines A-01 and B-01 are subject to the sulfur requirements in 40 CFR 60, Subpart GG. Pursuant to 40 CFR 60.333(b), the total sulfur contained in the fuel combusted shall not exceed 0.8 percent by weight (8,000 ppmw).

The permittee has elected not to monitor the total sulfur content of the NG combusted in turbines (emission units A-01 and B-01) by using the natural gas which meets the definition in 40 CFR § 60.331(u), pursuant to 40 CFR § 60.334(h)(3). The permittee has provided an excerpt from its current tariff from the Federal Energy Regulatory Commission (FERC) demonstrating that the fuel delivered to this plant satisfied the "natural gas" definition in 40 CFR 60.331(u). No further compliance monitoring requirements under this NSPS are applicable to turbines A-01 or B-01.

## c. NESHAP for Stationary Reciprocating Internal Combustion Engines (40 CFR §§ 63.6580-63.6675; 40 CFR Part 63, Subpart ZZZZ)

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions as well as compliance requirements related to these limitations. The Dilkon compressor station is an area source of HAP emissions and consists of one 4-stroke rich burn auxiliary engine (AUX A-01) with more than 500 hp. Pursuant to 40 CFR § 63.6595(a), AUX A-01 must meet the requirements of Table 2d:5.

### d. Asbestos NESHAP (40 CFR § 61, Subpart M)

EPNG Dilkon is subject to the national emission standard for asbestos, 40 CFR Part 61, Subpart M, for all renovation and demolition projects, as specified in the permit document.

### e. Stratospheric Ozone Protection (40 CFR § 82)

EPNG Dilkon is subject to the requirements for protecting stratospheric ozone under 40 CFR Part 82. Applicable requirements are specified in the permit document.

Table 5. Incorporation of Applicable Requirements into the Part 71 Permit

Requirement	Condition/ Section	Condition in Pt. 71 Permit	Description/Notes
PSD permit AZP 90-3	section I	n/a	Permit expiration
	section II	n/a	Notification of commencement of construction and operation (one-time only)
	section III	II.A.15	Facility operation
	section IV	II.A.16	Notification of malfunction
	section V	IV.N	Right of entry
	section VI	II.A.17	Transfer of ownership
	section VII	IV.F	Severability
	section VIII	II.A.18	Other applicable regulations
	section IX	multiple conditions in sections: II.A II.B II.C	Special Conditions: Certification of Installation Operating Low-NOx Combustor Performance Testing NOx and CO Emission Limits (B-01) Recordkeeping and Reporting Fuel Use
	section X	II.A-II.C	Agency notifications
40 CFR Part 60 NSPS Subpart A	60.1	n/a	Applicability (no requirements)
	60.2	n/a	Definitions (no requirements)
	60.3	n/a	Units and abbreviations (no requirements)
	60.4(a)	II.B.1	Submit reports to EPA Region IX and NNEPA
	60.4(b)	n/a	Submit reports to delegated agencies (Tribe is not the delegated authority for NSPS)

	60.5	n/a	Applicability determinations (places
	00.3	11/ 4	requirements on US EPA, not the facility)
	60.6	n/a	Review of plans (places requirements on
			US EPA, not the facility)
	60.7(a)	n/a	Notification of construction or
			reconstruction (one-time only)
	60.7(b)	II.B.2	Records of startup, shutdown, and
			malfunction
	60.7(c)	n/a	CEMS reporting (facility has CEMS, but
			this is not required by NSPS)
	60.7(d)	n/a	Report format for CEMS reporting (facility
***************************************			has CEMS, but is not required by NSPS)
	60.7(e)	n/a	Reporting frequency (standard does not
			require reporting more than semiannually)
	60.7(f)	n/a	Maintain monitoring records (PSD permit
			requires 5 years)
	60.7(g)	n/a	Notification required by state/local agency
	(0.7(1-)	- 1-	(no such notification required)
	60.7(h)	n/a	Disclaimer that subpart may clarify or
	60.8	n/a	make inapplicable any general provisions
			Initial performance tests (one-time only)
	60.9	II.B.3	Availability of information
	60.10	n/a	State authority (no requirements)
	60.11(a)	II.B.4	Compliance with non-opacity standards
	60.11(b)	n/a	Compliance with opacity standards
			(facility is not subject to opacity standard)
	60.11(c)	n/a	Times when opacity standards apply
	(0.4.4.1)		(facility is not subject to opacity standard)
	60.11(d)	II.B.5	Good practice to minimize emissions
	60.11(e)	n/a	Compliance with opacity standards (none)
	60.11(f)	n/a	Special provisions in subpart supersede
			general provisions (no requirements)
	60.11(g)	II.B.6	Credible evidence
	60.12	П.В.7	Circumvention
	60.13	n/a	CEMS requirements (facility has CEMS,
			but this is not required by NSPS)
	60.14	n/a	Applies to modifications
	60.15	n/a	Applies to reconstruction
	60.16	n/a	Priority list (no requirements)
	60.17	n/a	Incorporation of test methods by reference
	60.18	n/a	Requirements for flares (facility does not
			use flares to comply with NSPS)

	60.19	II.B.8	General notification and reporting
40 CFR Part 60 NSPS Subpart GG	60.330	n/a	Applicability (no requirements)
00	60.331	II.C.1	Definitions (gaseous fuel meets the definition of natural gas in § 60.331(u))
	60.332	n/a	Standard for nitrogen oxides (Unit B-01 is exempt)
	60.333	II.C.1	Standard for sulfur oxides (fuel sulfur standard)
	60.334(a)	n/a	Monitoring of water, fuel for NOx control (the turbine does not use water injection to control NOx)
	60.334(b) & (c)	II.C.3- II.C.5	CEMS requirements
	60.334(d) through (g)	n/a	Monitoring of water, fuel for NOx control for turbines constructed after July 8, 2004 (the turbine does not use water injection and was constructed in 1992)
	60.334(h)	II.C.2	Monitoring of fuel sulfur content
	60.335	II.C.6-II.C.9	Test methods and procedures
40 CFR Part 63 NESHAP Subpart A	63.1	n/a	Applicability (no requirements)
	63.2	n/a	Definitions (no requirements)
	63.3	n/a	Units and abbreviations (no requirements)
	63.4	II.D.1	Prohibited Activities and Circumvention
	63.5	II.D.2	Preconstruction Notification
	63.6	n/a	Compliance with standards (no requirements)
	63.7	n/a	Performance Testing (no requirements)
	63.8	II.D.3	Monitoring Requirements
	63.9	n/a	Notification Requirements
	63.10	II.D.4	Recordkeeping and Reporting
	63.11-63.16	n/a	No requirements
40 CFR Part 63 Subpart ZZZZ	63.6585 and 63.6590	n/a	Applicability (no requirements)
*	63.6595	II.E.4	Compliance date
	63.6600 through 63.6602	n/a	Emission limitations for stationary RICE located at a major source of HAP emissions (facility is not a major source of HAP emissions)

	63.6603	II.E	Emission and operating limitations for existing stationary RICE located at an area source of HAP emissions
	63.6604	n/a	Diesel fuel requirements for CI RICE (Unit AUX A-01 is a spark ignition RICE which uses natural gas as a fuel)
	63.6605	II.E.5	General requirements
	63.6610 through 63.6620	n/a	Performance testing (AUX A-01 is an emergency RICE located at an area source for HAP emissions)
	63.6625(e)( 3) and (j)	II.E.6- II.E.11	Maintenance and operation of RICE
	63.6630 through 63.6635	n/a	Initial compliance with emission and operating limitations and demonstration of continuous compliance (AUX A-01 is not subject to emission or operating limitations or demonstrations of continuous compliance)
	63.6640	II.E.12- II.E.15	Compliance & Reporting Requirements
	63.6645	n/a	Notifications (facility is not required to submit notification required in this section)
	63.6650	II.E.16	Reports
	63.6655 and 63.6660	II.E.17- II.E.20	Recordkeeping
	63.6665	n/a	General provisions (AUX A-01 is an existing emergency stationary RICE and is not subject to general provisions)
	63.6670	n/a	Implementation and enforcement
	63.6675	n/a	Definitions (no requirements)
Asbestos NESHAP 40 CFR Part 61 Subpart M	61.140 through 61.157	III.E	Requirements for demolition and renovation at facilities containing asbestos
Stratospheric Ozone Protection	82	III.D	Requirements for treatment of class I and class II substances

EPA promulgated a Federal Implementation Plan for preconstruction review of major sources in nonattainment areas and of minor sources and minor modifications at major sources in both attainment and nonattainment areas, which became effective on August 30, 2011. (See 76 FR 38748, July 1, 2011.) These regulations, codified in 40 CFR Parts 49 and 51, establish preconstruction review requirements for sources that will be incorporated in Part 71 federal operating permits. EPNG Dilkon is not currently constructing new emission units or modifying existing emission units. In the future, if the facility constructs new emission units or modifies

existing emission units, it may be required to obtain a permit from US EPA prior to construction.

### 5. Monitoring

With one exception, the monitoring in the Title V permit is identical to the monitoring in the US EPA-issued PSD permit. The additional monitoring requirement included in the Title V permit comes from NSPS Subpart GG. Subpart GG was revised on July 8, 2004 and included changes to the monitoring requirements for sulfur content in fuel. The Title V permit monitoring is summarized below.

Table 6. Monitoring in the Title V Permit

Requirement	Requirement Condition No.	Monitoring from Underlying Requirement	Monitoring Added to Part 71 Permit	Monitoring Condition No.
NOx Limits (B-01)	II.A.1	CEMS and annual performance test	none	II.A.5 & II.A.9
NOx Limits (AUX A-01)	II.A.2	Performance test within 180 days of startup	NOx testing once every five years	II.A.19
CO Limits (B-01)	II.A.3	CEMS and annual performance test	none	II.A.5 & II.A.9
Fuel sulfur content limit	II.C.1	FERC tariff with maximum total fuel sulfur content of natural gas	none	II.C. 2
Record natural gas consumed by B-01 and AUX A-01	II.A.11	Metering device to measure and record natural gas	none	II.A.11

### 6. Endangered Species Act

Pursuant to Section 7 of the Endangered Species Act (ESA), 16 U.S.C. § 1536, and its implementing regulations at 50 CFR Part 402, US EPA is required to ensure that any action authorized, funded, or carried out by US EPA is not likely to jeopardize the continued existence of any federally listed endangered species or threatened species or result in the destruction or adverse modification of the designated critical habitat of any such species. NNEPA is issuing this federal Part 71 permit pursuant to a delegation from US EPA. However, this permit does not authorize the construction of new emission units or emission increases from existing units, nor does it otherwise authorize any other physical modifications to the facility or its operations. Therefore, NNEPA and US EPA have concluded that the issuance of this permit will have no effect on listed species or their critical habitat.

#### 7. Use of All Credible Evidence

Determinations of deviations from, continuous or intermittent compliance with, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit. Other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by EPNG Dilkon, NNEPA and US EPA in such determinations.

### 8. NNEPA Authority

Authority to administer a Part 71 Permit Program was delegated to NNEPA by US EPA in part on October 13, 2004 and in whole on March 21, 2006. In delegating to NNEPA the authority to administer the Part 71 operating permit program, US EPA determined that NNEPA had adequate independent authority to administer the program, as required by 40 CFR § 71.10(a). Specifically, US EPA found NNEPA had adequate permit processing requirements and adequate permit enforcement-related investigatory authorities. Delegation Agreement between US EPA Region IX and NNEPA, §§ IV, V, VI.1, IX.2. Moreover, before waiving its collection of fees under 40 CFR § 71.9(c)(2)(ii), US EPA determined that NNEPA could collect sufficient revenue under its own authorities to fund a delegated Part 71 Program. Delegation Agreement at 1 and § II.2.

The Title V Permit therefore refers both to federal and to tribal provisions. When federal and tribal provisions are cited in parallel, the tribal provisions are identical to the federal provisions and compliance with the federal provision will constitute compliance with the tribal counterpart. Parallel tribal citations do not create any new requirements or impact the federal enforceability of the cited Part 71 requirements. All federal terms and conditions of the permit will be enforceable both by NNEPA and US EPA, as well as by citizens, under the federal Clean Air Act.

The provisions of Navajo law referenced in the permit will only be enforceable by NNEPA and will be enforced by NNEPA under the Navajo Nation Operating Permit Regulations and the Navajo Nation Air Pollution Prevention and Control Act, 4 N.N.C. §§ 1101-1162. Proposed Section IV.A (Fee Payment) refers only to the NNOPR as its source of authority because US EPA waived its collection of fees, as discussed above. This provision will be tribally enforceable only.

### 9. Public Participation

### a. Public Notice

As described in 40 C.F.R. § 71.11(a)(5) and NNOPR § 403(A), all draft operating permits shall be publicly noticed and made available for public comment. The public notice requirements for permit actions and the public comment period are described in 40 C.F.R. § 71.11(d) and NNOPR § 403.

Public notice of this proposed permit action will be provided to EPNG Dilkon, US EPA Region IX, and the affected state, local and tribal governments. A copy of the notice will also be provided to all persons who submitted a written request to be included on the mailing list.

Public notice will be published in a daily or weekly newspaper of general circulation in the area affected by this source.

### b. Response to Comments

NNEPA will respond to all significant comments received on the draft Part 71 permit.